

1 I. NEEL CHATTERJEE (STATE BAR NO. 173985)
nchatterjee@orrick.com
2 MONTE COOPER (STATE BAR NO. 196746)
mcooper@orrick.com
3 THERESA A. SUTTON (STATE BAR NO. 211857)
tsutton@orrick.com
4 MORVARID METANAT (STATE BAR NO. 268228)
mmetanat@orrick.com
5 ORRICK, HERRINGTON & SUTCLIFFE LLP
1000 Marsh Road
6 Menlo Park, California 94025
Telephone: 650-614-7400
7 Facsimile: 650-614-7401

8 Attorneys for Plaintiff
FACEBOOK, INC.

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14 UNITED STATES DISTRICT COURT
15 NORTHERN DISTRICT OF CALIFORNIA
16 SAN FRANCISCO DIVISION

17 FACEBOOK, INC.,
18 Plaintiff,
19 v.
20 POWER VENTURES, INC. a Cayman Island
corporation, STEVE VACHANI, an individual;
21 DOE 1, s/b/a POWER.COM, DOES 2-25,
inclusive,
22 Defendants.

Case No. 5:08-cv-05780-JW (JCS)

**DECLARATION OF MORVARID
METANAT IN SUPPORT OF
FACEBOOK INC.'S MOTION FOR
ADMINISTRATIVE RELIEF
PURSUANT TO CIVIL LOCAL RULE
7-11 FOR LEAVE TO FILE
SUPPLEMENTAL MATERIALS IN
SUPPORT OF MOTIONS FOR
PARTIAL SUMMARY JUDGMENT
AND OPPOSITION TO DEFENDANTS'
MOTION FOR SUMMARY
JUDGMENT**

23
24 Dept: Courtroom 9, 19th Floor
25 Judge: Hon. Chief Judge James Ware
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FILED UNDER SEAL

1 I, Morvarid Metanat, hereby declare and state as follows:

2 1. I am an attorney with the law firm of Orrick, Herrington & Sutcliffe LLP, counsel
3 of record to Facebook, Inc. in the above-captioned matter. I make this declaration based on my
4 personal knowledge, unless otherwise noted. If called, I can and will testify competently to the
5 matters set forth herein.

6 2. Attached hereto as **Exhibit A** is a true and correct copy of Facebook's First Set of
7 Requests for Production on Defendant Power, served on October 22, 2010.

8 3. Attached hereto as **Exhibit M** is a true and correct copy of an October 24, 2011
9 correspondence between Defendants' counsel and Facebook's counsel.

10 4. Attached hereto as **Exhibit B** is a true and correct copy of Power's May 31, 2011
11 letter to Facebook's counsel regarding Facebook's requests to Power to supplement its
12 production.

13 5. Attached hereto as **Exhibit C** is a true and correct copy of Power's November 9,
14 2011 correspondence with Facebook's counsel regarding the supplemental production. Vachani's
15 Yahoo! email inbox contains over 300,000 emails and five years. Power's backup server contains
16 120 gigabytes of data. **[LODGED UNDER SEAL—CONTAINS CONFIDENTIAL**
17 **INFORMATION]**

18 6. On January 9, 2012, Facebook deposed Power pursuant to Fed. R. Civ. P. 30(b)(6).
19 Defendant Steve Vachani was designated as Power's 30(b)(6) witness.

20 7. Attached hereto as **Exhibit D** is a true and correct copy of a December 12, 2008
21 email chain between Steve Vachani and Joe Shapiro. **[LODGED UNDER SEAL—**
22 **DESIGNATED “HIGHLY CONFIDENTIAL—ATTORNEYS’ EYES ONLY” PURSUANT**
23 **TO PROTECTIVE ORDER]**

24 8. Attached hereto as **Exhibit E** is a true and correct copy of an April 24, 2009 email
25 between Juliane Conceicao and Steve Vachani. The document contains portions of text in
26 Portuguese and is followed by a certified translation in English and a signed notarized
27 certification created by the company, TransPerfect Translations, Orrick retained to perform the
28 translation. **[LODGED UNDER SEAL—DESIGNATED “HIGHLY CONFIDENTIAL—**

1 **ATTORNEYS' EYES ONLY" PURSUANT TO PROTECTIVE ORDER]**

2 9. Attached hereto as **Exhibit F** is a true and correct copy of an August 11, 2005,
3 chat transcript between Steve Vachani and "greg." **[LODGED UNDER SEAL—**

4 **DESIGNATED "HIGHLY CONFIDENTIAL—ATTORNEYS' EYES ONLY" PURSUANT
5 TO PROTECTIVE ORDER]**

6 10. Attached hereto as **Exhibit G** is a true and correct copy of a September 12, 2005
7 email between Steve Vachani and Paul King. **[LODGED UNDER SEAL—DESIGNATED
8 "HIGHLY CONFIDENTIAL—ATTORNEYS' EYES ONLY" PURSUANT TO
9 PROTECTIVE ORDER]**

10 11. Attached hereto as **Exhibit H** are true and correct copies of excerpts from the
11 January 9, 2012 deposition of Power Ventures, pursuant to Fed. R. Civ. P. 30(b)(6). **[LODGED
12 UNDER SEAL—DESIGNATED "HIGHLY CONFIDENTIAL—ATTORNEYS' EYES
13 ONLY" PURSUANT TO PROTECTIVE ORDER]**

14 12. Attached hereto as **Exhibit I** is a true and correct copy of a December 2, 2009
15 email chain between Steve Vachani and Eric Santos. The document contains portions of text in
16 Portuguese and is followed by a certified translation in English and a signed notarized
17 certification created by the company, TransPerfect Translations, Orrick retained to perform the
18 translation. **[LODGED UNDER SEAL—DESIGNATED "HIGHLY CONFIDENTIAL—
19 ATTORNEYS' EYES ONLY" PURSUANT TO PROTECTIVE ORDER]**

20 13. Attached hereto as **Exhibit J** is a true and correct copy of a November 9, 2006
21 email chain between Steve Vachani and Kiran Inampudi. **[LODGED UNDER SEAL—
22 DESIGNATED "HIGHLY CONFIDENTIAL—ATTORNEYS' EYES ONLY" PURSUANT
23 TO PROTECTIVE ORDER]**

24 14. Attached hereto as **Exhibit K** is a true and correct copy of a January 10, 2009
25 email chain between Steve Vachani and Rick Latona. **[LODGED UNDER SEAL—
26 DESIGNATED "HIGHLY CONFIDENTIAL—ATTORNEYS' EYES ONLY" PURSUANT
27 TO PROTECTIVE ORDER]**

28 15. Attached hereto as **Exhibit L** is a true and correct copy of a November 24, 2010

1 email chain between Steve Vachani and Bruno Carvalho. The document contains portions of text
2 in Portuguese and is followed by a certified translation in English and a signed notarized
3 certification created by the company, TransPerfect Translations, Orrick retained to perform the
4 translation. **[LODGED UNDER SEAL—DESIGNATED “HIGHLY CONFIDENTIAL—**
ATTORNEYS’ EYES ONLY” PURSUANT TO PROTECTIVE ORDER]

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6 16. On January 20, 2012, I emailed Defendants’ counsel, Timothy Fisher, to seek a
7 stipulation to Facebook’s filing this motion. Mr. Fisher responded that Defendants would not
8 stipulate.

9 I declare under penalty of perjury that the foregoing is true and correct to the best of my
10 knowledge. Executed this 20th day of January, 2012 at Menlo Park, California.

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12 Dated: January 20, 2012

Orrick, Herrington & Sutcliffe LLP

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By: _____ /s/ *Morvarid Metanat* /s/
15 MORVARID METANAT
16 Attorneys for Plaintiff
FACEBOOK, INC.

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